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	Contents	<i>Pages</i>
Part - I	Acts <i>Nil</i>	
Part - II	Ordinances <i>Nil</i>	
Part - III	Delegated Legislation Notification No. G.S.R. 5/Const./ Art.309/ 2019, dated the 4th February, 2019, containing the Punjab Tehsildars (Group 'B') Service Rules, 2019.	.. 37-56
Part - IV	Correction Slips, Republications and Replacements <i>Nil</i>	

PART III**GOVERNMENT OF PUNJAB****DEPARTMENT OF REVENUE, REHABILITATION AND DISASTER****MANAGEMENT****NOTIFICATION**

The 4th February, 2019

No.G.S.R 5/Const./ Art.309/ 2019.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules for regulating the recruitment and conditions of Service of the persons appointed to the Punjab Tehsildars (Group B) Service, namely :—

RULES

- 1. Short title, commencement and application.**— (1) These rules may be called Punjab Tehsildars (Group B) Service Rules, 2019.
 - (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
 - (3) They shall apply to the posts specified in Appendix 'A'.
- 2. Definitions.**— (1) In these rules, unless the context otherwise requires,—
 - (a) 'Appendix' means an appendix appended to these rules;
 - (b) 'Financial Commissioner' means the Financial Commissioner Revenue or any other officer authorised by general or special order by the Government to perform the functions of the Financial Commissioner under these rules;
 - (c) 'Government' means the Government of the State of Punjab in the Department of Revenue and Rehabilitation; and
 - (d) 'Service' means the Punjab Tehsildars (Group B) Service.
 - (2) The words and expressions used, but not defined in these rules, shall have the same meaning as assigned to them in the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.
- 3. Number and Character of posts.**— The Service shall comprise the posts specified in Appendix 'A' to these rules:

Provided that nothing in these rules shall affect the inherent right of the Government to add or to reduce the number of such posts or to create new posts with different designations and scales of pay, whether permanently or temporarily.
- 4. Appointing Authority.**— Appointment to the Service shall be made by the Government.

5. Appointment of accepted candidates to the Service.— Appointment to the Service shall be made in the manner herein provided by the Financial Commissioner from amongst the candidates whose names have been duly entered in the Registers of accepted candidates to be maintained under rule 7 in a slab of ten vacancies as follows:-

- (1) the first, third, sixth and eighth vacancy shall be filled from amongst candidates borne on Register A;
- (2) the second, fourth, seventh and ninth vacancy shall be filled from amongst candidates borne on Register B-I; and
- (3) the fifth and tenth vacancy shall be filled from amongst the candidate borne on Register B-II.

6. Method of appointment, qualifications and experience.— (1) Appointment to the Service shall be made in the manner specified in Appendix 'B':

Provided that if no suitable candidate is available for appointment to the Service by promotion and by direct appointment, the appointment to the Service shall be made by transfer of a person holding an analogous post under the State Government or Government of India.

- (2) No person shall be appointed to a post in the Service, unless he possesses the qualification and experience, as specified against that post in Appendix 'B'.
- (3) Appointment to the Service by promotion shall be made on seniority-cum-merit basis and no person shall have any right to claim promotion on the basis of seniority alone.

7. Registers to be maintained.— The following Registers of candidates shall be maintained by the Financial Commissioner, namely:-

- (1) Register 'A' in which shall be entered the names of persons accepted as candidates from amongst the candidates, who have passed the examination as provided in the Punjab State Civil Services (Appointment by Combined Competitive Examination) Rules, 2009.
- (2) Register B-I in which shall be entered the names of Naib-Tehsildars accepted as candidates;
- (3) Register B-II in which shall be entered the names of persons belonging to the categories mentioned under column 5, clause (b) of Appendix "B" accepted as candidates;

Provided that mere entry of any person in a Register as accepted candidate shall not confer any right on that person for appointment to the Service.

8. Selection of candidates to be placed on Registers B-I and B-II .— (1) Each

Commissioner shall, at such time in a year as the Financial Commissioner may, by general or special order require, recommend the names of one or more Naib-Tehsildars who are borne on the cadre of his Division in order of the inter-se-seniority for appointment to the Service.

(2) Each Commissioner, in respect of the employees belonging to the category mentioned in sub-clause (i) of clause (b) of column 5 of Appendix B; each Deputy Commissioner, in respect of the employees belonging to the category mentioned in sub-clause (ii) of clause (b) of column 5 of Appendix B; and the Revenue Secretary, in respect of the employees mentioned in sub-clause (iii) of clause (b) of column 5 of Appendix B, may recommend to the Financial Commissioner the names of such persons in order of inter-se-seniority for appointment to the Service.

(3) The Financial Commissioner shall consider the names of persons recommended under sub-rules (1) and (2) and prepare a list, from amongst such persons, of candidates on the basis of seniority-cum-merit for appointment to the Service:

Provided that the list prepared by the Financial Commissioner shall not contain names exceeding twice the number of vacancies to be filled from amongst the candidates entered in Register B-I and B-II, respectively.

(4) All appointments to the Service by promotion shall be made on the basis of seniority-cum-merit and no person shall be entitled to claim promotion on the basis of seniority alone.

9. Departmental Examination.— Every member of Service shall have to pass the Departmental Examination as may be prescribed by the Government from time to time:

Provided that if any member of Register B-I and Register B-II, as specified in sub-rule (2) and (3) of rule 7, who has already passed any examination of prescribed standard, shall not be required to pass the same examination again while qualifying the Departmental Examination.

10. Training.— Every member of Service shall have to undergo satisfactorily the course of training as may be prescribed by regulations framed by the Financial Commissioner.

11. Pay of members of the Service.— The members of the Service shall be entitled to such scales of pay, as may be authorised by the Government in the Department of Finance from time to time. The scales of pay, at present, in force in respect of the members of the Service, are given in Appendix 'A'.

12. Discipline, punishment and appeal.— (1) In the matters of discipline, punishment and appeal, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties as specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the members of the Service, shall be as specified in Appendix 'C' to these rules.

(3) The authority competent to hear an appeal against an order specified in rule 15 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 other than an order imposing any of the penalties as mentioned in Appendix 'C' to these rules shall be as specified in Appendix 'D' to these rules.

13. Application of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.— (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the provisions of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, at present in force, are contained in Appendix 'E'.

14. Framing of Regulations.— The Financial Commissioner, Revenue may make regulations consistent with these rules for carrying out the purposes of the provisions of these rules.

15. Repeal and savings.—The Punjab Tehsildars (Group-B) Service Rules, 1984, in so far as they are applicable to the members of the Service, are hereby repealed:

Provided that any order issued or any action taken under the rules, so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

16. Interpretation.— If any question arises as to the interpretation of these rules, the Government, in consultation with the Department of Personnel, shall decide the same.

(MAGHA 16, 1940 SAKA)

APPENDIX – ‘A’

[See rule 1(3), 3 and 11]

Designation of the post	Number of posts			Training Reserve	Scale of pay + Grade Pay (In Rupees)
	Permanent	Temporary	Total		
1.	2.	3.	4.	5.	6.
Tehsildar	105 (including 20 posts of Tehsildar- cum-Sub- Registrar)	05	110	20	10300-34800+5000

APPENDIX 'B'

[See rule 6]

Designation of the Post	Percentage for appointment by		Qualification and experience for appointment by	
	Direct Appointment	Promotion	Direct Appointment (Register A)	Promotion (Register B-I, B-II)
1	2	3	4	5
Tehsildar	Forty per cent	Sixty per cent	<p>(a) Should be Graduate from a recognized university or institution; and</p> <p>(b) Should have passed the examination as provided in the Punjab State Civil Services (Appointment by Combined Competitive Examination) Rules, 2009, as amended from time to time.</p>	<p>(a) Forty percent from amongst Naib-Tehsildars who have an experience of working as such for a minimum period of five years and whose names are borne on Register B-I;</p> <p>(b) Twenty percent from amongst the persons working on the following posts in the Department of Revenue and Rehabilitation and whose names are borne on Register B-II –</p> <p>(i) Superintendents Grade-II (Revenue and Judicial), Commissioners' offices, having an experience of working for a minimum period of four years;</p> <p>(ii) Superintendents Grade-II (Revenue and Records) Deputy Commissioners' offices, having an experience of working for a minimum period of four years; and</p> <p>(iii) Senior Assistant (Judicial) of the Financial Commissioner's Secretariat</p>

(MAGHA 16, 1940 SAKA)

having a total experience of six years as Senior Assistant/ Senior Assistant (Judicial), out of which should have worked for a minimum period of two years as Senior Assistant (Judicial).

APPENDIX 'C'

[See rule 12 (2)]

Nature of penalty	Punishing Authority	Appellate Authority
1	2	3
Minor Penalties		
(i) censure;		
(ii) Withholding of his promotion;		
(iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of orders;	Financial Commissioner	Minister Incharge of the Department
(iv) withholding of Increments of pay without cumulative effect		
Major Penalties		
(v) withholding of increments of pay with cumulative effect or reduction to a lower stage in the time scale of pay for a specified period, with further direction as to whether or not the Government employee will earn increments of pay during the period of such reduction and whether on the expiry of such period reduction will or will not have the effect of postponing the future increments of his pay;	Financial Commissioner	Minister Incharge of the Department
(vi) reduction to lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the time scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the Government employee was reduced and his seniority and pay on such restoration to that grade, post or service;		
(vii) Compulsory retirement;		

- (viii) removal from service which shall not be a disqualification for future employment under the Government;
- (ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

APPENDIX 'D'

[See rule 12 (3)]

Designation	Nature of order	Authority competent to pass orders	Appellate Authority
1	2	3	4
Tehsildar	<p>(i) an order of suspension made or deemed to have been made under rule-4;</p> <p>(ii) an order imposing any of the penalties specified in Rule 5 whether made by the punishing authority or by any appellate or reviewing authority;</p> <p>(iii) an order enhancing any penalty imposed under Rule 5;</p> <p>(iv) An order which;</p> <p>(a) denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement;</p> <p>(b) interprets to his disadvantage the provisions of any such rule or agreement;</p> <p>(v) an order –</p> <p>(a) stopping him at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar;</p> <p>(b) reverting him while officiating in a higher service, grade or post to a lower service, grade or post otherwise than as a penalty;</p> <p>(c) reducing or withholding the pension or denying the maximum pension admissible to him under the rules;</p> <p>(d) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof; or</p> <p>(e) determining his pay and allowances-</p>	Financial Commissioner	Minister Incharge of the Department

(MAGHA 16, 1940 SAKA)

- (i) for the period of suspension; or
- (ii) for the period from the date of his dismissal, removal or compulsory retirement from service or from the date of his reduction to a lower service, grade, post, time scale or stage in a time scale of pay to the date of his reinstatement or restoration to his service, grade or post; or
- (f) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, time scale of pay or stage in a time scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as a period spent on a duty for any purpose.

APPENDIX 'E'**(See rule-13)****GOVERNMENT OF PUNJAB
DEPARTMENT OF PERSONNEL
(PERSONNEL POLICIES I-BRANCH)****NOTIFICATION**

The 4th May, 1994

No. G.S.R.33/Const./Art.309/94.-In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab, namely:-

1. Short title, commencement and application.-(1) These rules may be called the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.

- (2) They shall come into force at once.
- (3) They shall apply to all the posts in Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab.

2. Definition.-In these rules, unless the context otherwise requires-

- (a) "appointing authority" means an appointing authority specified as such in the Service Rules made under article 309 of the Constitution of India in respect of any service or Post in connection with the affairs of the State of Punjab.
- (b) "Board" means the Subordinate Service Selection Board, Punjab or any other authority constituted to perform its functions;
- (c) "Commissioner" means the Punjab Public Service Commission;
- (d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;
- (e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;
- (f) "recognised university or institution" means,-
 - (i) any university or institution incorporated by law in any of the State of India; or

- (ii) any other university or institution, which is declared by the Government to be recognised university or institution for the purposes of these rules;
- (g) “Service” means any Group ‘A’ Service, Group ‘B’ Service and Group “C” Service constituted in connection with the affairs of the state of Punjab as per scales given in the Appendix.
- (h) “Service Rules” means the service rules made under article 309 of the Constitution of India regulating the recruitment and conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
- (i) “War hero” means a defence services personnel, or a para-military forces personnel, who is a bona fide resident of Punjab State and is killed or discharged from the above service on account of disability suffered by him while fighting for defending the border of the country in Kargil sector of the State of Jammu and Kashmir or fighting for the country in any other sector or similar operation on or after the first day of January, 1999 which may be notified by the State Government as undertaken for preserving the unity and integrity of the motherland. However, in exceptional cases the cases of those war heroes can also be covered under this definition who though, not bona fide residents of Punjab State, but are yet closely connected to the state of Punjab. In such exceptional cases, the express approval of the Department of Personnel will be mandatory.

3. Nationality, domicile and character of person appointed to the Service.- (1)

No person shall be appointed to the Service unless he is,-

- (a) a Citizen of India; or
- (b) a Citizen of Nepal; or
- (c) a Subject of Bhutan; or
- (d) a Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
- (e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India;

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may

be, on his furnishing proof that he has applied for the certificate but he shall not be appointed to the service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the service by direct appointment, unless he produced,-

- (a) a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any, and similar certificate from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and
- (b) An affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service or any State Government or of Government of India, or of any Public Sector Undertaking.

4. Disqualification-No person:-

- (a) who has entered into or contracted a marriage with a person having spouse living; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Age.- (1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty years of age in the case of non-technical posts and thirty-five years in the case of technical posts on the 1st day of January of the year immediately preceding the last date fixed for submission of applications by the Commission or the Board, as the case may be, or unless he is within such range of minimum and maximum age limits as may be specifically fixed by the Government from time to time:

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed upto forty-five years in the case of persons already in the employment of the Punjab Government or any Board, Corporation, Commission or Authority under it, other State Government or the Government of India.

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

(2) In the case of ex-servicemen, the upper age limit shall be as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.

(3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

(4) In the case of appointment of a War-hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

6. Qualification-Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination if any, shall be such as may be specified in the Service Rules made for that Service:

Provided that where appointment of Group 'A' or Group 'B' non-technical post is offered to a war-hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognised university. Such person who is offered Group 'A' or Group 'B' or Group 'C' non-technical post, shall not, however, be required to possess experience of technical or non-technical post at the time of his initial appointment.

7. Probation.-(1) A person appointed to any post in the service shall remain on probation for a period of two years, if recruited by direct appointment and one year if appointed otherwise:

Provide that.-

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
- (b) in any case of an appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
- (c) any period of officiating appointment to the Service at the end of period of probation, shall be counted towards the period of probation.

(2) If, in the opinion of the appointing authority, the work or conduct of a person

during the period of probation is not satisfactory or he has failed to pass the departmental examination, if any, prescribed in Service Rules within a period not exceeding two and a half years from the date of appointment, it may:-

- (a) if such person is recruited by direct appointment dispense with his service, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and
- (b) if such person is appointed otherwise-
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may-

- (a) if his work and conduct has in its opinion been satisfactory-
 - (i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily, if he is not already confirmed; or
 - (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
- (b) if his work or conduct has not been in its opinion, satisfactory or if he has failed to pass the departmental examination, if any, specified in the Service Rules-
 - (i) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit;
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

Provided that the total period of probation including extension, if any, shall not exceed four years, if recruited by direct appointment and three years if appointed otherwise.

8. Seniority.-The seniority inter se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service.

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended

from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection who join within the time specified in the first proviso:

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer;
- (c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments from which they were promoted or transferred; and
- (d) in the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a persons who was drawing a higher rate of pay in his previous appointment; and if the rate of pay drawn are also the same, then by their length of service in these appointments and if the length of service is also the same, an older person shall be senior to a younger person.

Note:- Seniority of persons appointed on purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

9. Liability of members of Service to transfer.-A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as specified in rule 3.17 of the Punjab Civil Service Rules, Volume-I, Part-I.

10. Liability to serve.-A member of Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.

11. Leave, Pension and other matters.-In respect of pay, leave, pension and all other matters not expressly provided for in these rules, a member of Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by the competent authority.

12. Discipline, penalties and appeals.-(1) In the matter of discipline, punishment and appeals, a member of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.

(2) The authority empowered to impose penalties specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.

13. Liability for vaccination and re-vaccination.-Every member of a Service shall get himself vaccinated or re-vaccinated when Punjab Government so directs by a special or general order.

14. Oath of allegiance.- Every member of a Service unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

15. Minimum educational and other Qualifications.-(1) No person shall be appointed by direct appointment to the post of Clerk under the Punjab Government unless he is Matriculate in Second Division or has passed Senior Secondary Part-II Examination from a recognised university or institution.

(2) The person so appointed as Clerk in terms of sub-rule (1) shall have to qualify a test in Punjabi typewriting to be conducted by the Board or by the appointing authority at the speed of thirty words per minute within a period of one year from the date of his appointment.

(3) In case, the person fails to qualify the said test within the period specified in sub-rule (2) shall be allowed annual increment only with effect from the date he qualifies such test, but he shall not be paid any arrears for the period, for which he could not qualify the said test:

Provided that where appointment of Group 'C' non-technical post is offered to a War Hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in his behalf by the Government, the educational qualifications to be possessed by such person shall be Matriculate from a recognised university or institution. Such person will, however, be not required to qualify the test in Punjabi typewriting as specified in sub-rule (2).

16. Minimum educational and other qualifications for appointment to the post of Steno-typist Grade-II or Junior Scale Stenographer Grade-II.-No person shall be appointed by direct appointment to a post of a Steno-typist Grade-II, or a Junior Scale Stenographer Grade-II under the Punjab Government, unless he-

(a) is Matriculate in Second Division or has passed Senior Secondary Part-II examination from a recognised university or institution; and

- (b) qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at a speed to be specified by the Government from time to time.

17. Knowledge of Punjabi Language.-No person shall be appointed to any post in any service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subjects or any other equivalent examination in Punjabi language, which may be specified by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of six months from the date of his appointment:

Provided further that where educational qualifications for a post in any service are lower than the Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle standard:

Provided further that where a War Hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language:

Provided further that where a ward of Defence Service Personnel, who is a bona fide resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to matriculation Standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

18. Promotion to Group 'A' and Group 'B' Services.-(1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum benchmark for promotion for such post would be 'Very Good'. The officer who is graded as 'Outstanding' would supersede the officer grades as 'Very Good'.

- (b) For promotion to post falling in Group 'A' other than Head of Department, the minimum benchmark will be 'Very Good' as per instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.
- (c) For promotion to post falling in Group 'B', the minimum benchmark will be 'Good' and there shall be no supersession on the basis of merit.

(2) Debarring for consideration for promotion of a Government Employee who refuses to accept promotion.-In the event of refusal to accept promotion by a member of a service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion:

Provided that in case where the appointing authority is satisfied that a member of a service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded, therefore in writing from the operation of this rule.

19. Power to relax.-Where the Government is of the opinion that it is necessary to expedient so to do, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category or persons:

Provided that the provisions relating to educational qualifications and experience, if any shall not be relaxed.

20. Over riding effect.-The provisions of these rules shall have effect notwithstanding anything contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.

21. Interpretation.-If any, question arises as to the interpretation of these rules, the Government shall decide the same.

A.S. CHATHA,
Chief Secretary to Government of Punjab.

KALPANA MITTAL BARUAH,
Financial Commissioner Revenue
to Government of Punjab, Department of
Revenue, Rehabilitation and
Disaster Management.